

Congressman Ron Paul U.S. House of Representatives October 3, 2002 Is Congress Relevant with Regards to War?

The last time Congress declared war was on December 11, 1941, against Germany in response to its formal declaration of war against the United States. This was accomplished with wording that took less than one-third of a page, without any nitpicking arguments over precise language, yet it was a clear declaration of who the enemy was and what had to be done. And in three-and-a-half years, this was accomplished. A similar resolve came from the declaration of war against Japan three days earlier. Likewise, a clear-cut victory was achieved against Japan.

Many Americans have been forced into war since that time on numerous occasions, with no congressional declaration of war and with essentially no victories. Today's world political condition is as chaotic as ever. We're still in Korea and we're still fighting the Persian Gulf War that started in 1990.

The process by which we've entered wars over the past 57 years, and the inconclusive results of each war since that time, are obviously related to Congress' abdication of its responsibility regarding war, given to it by Article I Section 8 of the Constitution.

Congress has either ignored its responsibility entirely over these years, or transferred the war power to the executive branch by a near majority vote of its Members, without consideration of it by the states as an amendment required by the Constitution.

Congress is about to circumvent the Constitution and avoid the tough decision of whether war should be declared by transferring this monumental decision-making power regarding war to the President. Once again, the process is being abused. Odds are, since a clear-cut decision and commitment by the people through their representatives are not being made, the results will be as murky as before. We will be required to follow the confusing dictates of the UN, since that is where the ultimate authority to invade Iraq is coming from- rather than from the American people and the U.S. Constitution.

Controversial language is being hotly debated in an effort to satisfy political constituencies and

for Congress to avoid responsibility of whether to go to war. So far the proposed resolution never mentions war, only empowering the President to use force at his will to bring about peace. Rather strange language indeed!

A declaration of war limits the presidential powers, narrows the focus, and implies a precise end point to the conflict. A declaration of war makes Congress assume the responsibilities directed by the Constitution for this very important decision, rather than assume that if the major decision is left to the President and a poor result occurs, it will be his fault, not that of Congress. Hiding behind the transfer of the war power to the executive through the War Powers Resolution of 1973 will hardly suffice.

However, the modern way we go to war is even more complex and deceptive. We must also write language that satisfies the UN and all our allies. Congress gladly transfers the legislative prerogatives to declare war to the President, and the legislative and the executive branch both acquiesce in transferring our sovereign rights to the UN, an un-elected international government. No wonder the language of the resolution grows in length and incorporates justification for starting this war by citing UN Resolutions.

In order to get more of what we want from the United Nations, we rejoined UNESCO, which Ronald Reagan had bravely gotten us out of, and promised millions of dollars of U.S. taxpayer support to run this international agency started by Sir Julian Huxley. In addition, we read of promises by our administration that once we control Iraqi oil, it will be available for allies like France and Russia, who have been reluctant to join our efforts.

What a difference from the days when a declaration of war was clean and precise and accomplished by a responsible Congress and an informed people!

A great irony of all this is that the United Nations Charter doesn't permit declaring war, especially against a nation that has been in a state of peace for 12 years. The UN can only declare peace. Remember, it wasn't a war in Korea; it was only a police action to bring about peace. But at least in Korea and Vietnam there was fighting going on, so it was a bit easier to stretch the language than it is today regarding Iraq. Since Iraq doesn't even have an Air Force or a Navy, is incapable of waging a war, and remains defenseless against the overwhelming powers of the United States and the British, it's difficult to claim that we're going into Iraq to restore peace.

History will eventually show that if we launch this attack the real victims will be the innocent Iraqi civilians who despise Saddam Hussein and are terrified of the coming bombs that will destroy their cities.

The greatest beneficiaries of the attack may well be Osama bin Ladin and the al Qaeda. Some in the media have already suggested that the al Qaeda may be encouraging the whole event. Unintended consequences will occur- what will come from this attack is still entirely unknown.

It's a well-known fact that the al Qaeda are not allies of Saddam Hussein and despise the secularization and partial westernization of Iraqi culture. They would welcome the chaos that's about to come. This will give them a chance to influence post-Saddam Hussein Iraq. The attack, many believe, will confirm to the Arab world that indeed the Christian West has once again attacked the Muslim East, providing radical fundamentalists a tremendous boost for recruitment.

An up or down vote on declaring war against Iraq would not pass the Congress, and the President has no intention of asking for it. This is unfortunate, because if the process were carried out in a constitutional fashion, the American people and the U.S. Congress would vote "No" on assuming responsibility for this war.

Transferring authority to wage war, calling it permission to use force to fight for peace in order to satisfy the UN Charter, which replaces the Article I, Section 8 war power provision, is about as close to 1984 "newspeak" that we will ever get in the real world.

Not only is it sad that we have gone so far astray from our Constitution, but it's also dangerous for world peace and threatens our liberties here at home.